

National Security and Climate Change: Behind the U.S. Pursuit of Military Exemptions to the Kyoto Protocol



Pentagon insistence, lodged over State Department concerns, drove strong U.S. push to exclude military operations from climate treaty

Kyoto experience presents parallels as Biden administration faces challenges on climate policy

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Edited by Burkely Hermann

For more information, contact: 202-994-7000 or nsarchiv@gwu.edu

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Washington, D.C., January 20, 2022 – Pentagon demands for military exemptions during the 1997 Kyoto climate negotiations posed a substantial challenge for the Clinton administration both internally and with American allies, according to a collection of declassified internal papers posted today by the nongovernmental National Security Archive.

The Defense Department proposal created rifts with other federal agencies and American negotiators in Kyoto had to wrestle to convince other countries to agree to exempt specific military operations from emissions requirements. Still, some governments willingly agreed with the idea and openly supported it. Ultimately, the Pentagon's basic wishes were included as part of the Kyoto accord.

The records in today's posting primarily focus on the perspectives of U.S. negotiators and officials, but also include the views of members of Congress and others who were critical of the Kyoto Protocol because they wanted even larger carve-outs for military operations.

These documents have particular relevance as the Biden administration advances its climate change policy and the Pentagon commits to climate adaptation measures.

An issue "the Pentagon cared most about": Behind the U.S. push for national security exemptions in Kyoto

By Burkely Hermann



President Clinton, sitting at a desk on the edge of the Grand Canyon in September 1996, signs a proclamation establishing the Grand Staircase-Escalante National Monument, while Vice President Al Gore stands beside him. Clinton's advisors, including Todd Stern, kept him informed of the push for military exemptions in Kyoto and there are no records that he had any objections to these efforts. (Photo credit: William J. Clinton Presidential Library & Museum)

In earlier postings, the National Security Archive made available declassified documents which provided insight into the Clinton administration's climate change policy, including the negotiations in Kyoto and the subsequent protocol. Those documents also highlighted challenges this policy faced abroad from other countries and at home from legislators and business leaders.

The documents in this post expand that story by focusing on the advocacy by U.S. negotiators in Kyoto for national security exemptions during and after the climate change conference. Journalists and commentators have argued lobbying by the United States meant that the Kyoto Protocol gave militaries a large exemption from emissions targets and standards.¹ However, the documents tell a different story, of exemptions which were not as wide as the Pentagon or critics of the agreement would have liked. These provisions exempted emissions from international operations authorized by the United Nations or those described as in accordance with the UN Charter, and bunker fuels from being added to national emissions totals.



¹ See "[World's militaries avoiding scrutiny over emissions, scientists say](#)," by Tom Ambrose, The Guardian; "[The world's largest military isn't reporting its giant 'carbon footprint'](#)," by Anny Oberlink, Popular Science; "[The West's armies are getting more serious about climate change](#)," The Economist.

President Clinton and Secretary of State Madeleine Albright confer during the Wye River Plenary Session in October 1998. Albright strongly favored national security exemptions at the Kyoto negotiations, and later affirmed that the Pentagon's aims in Kyoto had been achieved. (photo credit: The National Archives and Records Administration)

By early October 1997, Pentagon officials, like Deputy Undersecretary of Defense for Environmental Security Sherri W. Goodman, had declared that the protocol would harm “military readiness,” with serious implications for military training, operations, and fuel use.² Goodman even attached a proposed national security waiver to her memorandum. State Department officials heard these objections loud and clear. Secretary of State Madeleine Albright voiced her approval for national security exemptions, saying she wanted to explore the idea as it related to supporting peacekeeping and military readiness [see Document 1]. While she acknowledged that much of the federal government’s energy consumption came from the military, she argued that NATO operations would not be compromised by greenhouse gas limitations, justifying this by arguing that it would be hard to calculate emissions. She proposed language for the exemptions and noted that fellow NATO members would be asked to support these exemptions.



Secretary of Defense William Cohen listens to U.S. Army Supreme Allied Commander for Europe Gen. Wesley Clark in September 1998. Cohen originally agreed with critics of the agreement who wanted larger military exemptions, but he later acceded to the exemptions implemented in Kyoto. (Photo credit: U.S. Department of Defense)

Pentagon officials Christopher E. Weaver, executive officer to the director for logistics for the Joint Staff, and Roy K. Salomon, a U.S. Air Force lieutenant colonel who was part of Deputy Secretary of Defense John P. White’s staff, were U.S. delegates in Kyoto.³ They spoke with

² “[Pentagon officials consider asking for waiver for U.S. forces](#),” *Inside the Pentagon*, Vol. 13, No. 41 (October 9, 1997), p. 1; Frank J. Gaffney, Jr., “[The Pentagon’s Newest Enemy: Hot Air](#),” *Wall Street Journal*, Oct. 16, 1997. In August 1996, Goodman gave a speech to the National Defense University where she [emphasized the Pentagon’s new focus](#) on “environmental security,” concluding that “environmental degradation or scarcity” could interact with other factors and “cause instability and conflict” in parts of the world. She also noted the Pentagon started establishing “defense environmental relationships” beginning in 1994.

³ See “[U.S. DELEGATION TEAM TO THE COP-3](#)” on U.S. Department of State Archive; “[Rear Admiral Christopher Weaver](#)” biography on U.S. Navy website; [Memorandum to David J. Barram on April 5, 1997](#) on U.S. Department of Defense website. [According to Goodman](#), the U.S. was “the only delegation at Kyoto that had two military officers as representatives on its team.”

delegates about national security exemptions. Delegates from Australia and New Zealand expressed cautious interest, with the Australian military considering it an issue and wanting continued dialogue, while New Zealand saw merit in the proposal. The U.S. delegation later supplied a statement calling for a national security or national emergency provision, hoping that other delegates would consider how emissions requirements could affect military forces, training, and peacekeeping operations [see Documents 2, 3, 4].



Stuart Eizenstat, Under Secretary of State for Economic, Business, and Agricultural Affairs, headed the U.S. delegation in Kyoto. (Photo credit: unknown)

By late November 1997, the U.S. delegation in Kyoto led by Stuart E. Eizenstat, Under Secretary for Economic, Business and Agricultural Affairs,⁴ had made national security one of their primary issues. In a memo to negotiators, a Council on Environmental Quality official wrote that the State Department was opposing broad national security exemptions, with Eizenstat believing there was too high of a risk of failure of achieving it in negotiations, a position that Katie McGinty and Todd Stern⁵ from the White House team in the U.S. delegation agreed with. Even so, State Department staff tried to narrow the exemptions, believing this would have increased success, while opposing the Pentagon's request for blanket exemptions, saying that no agency nor White House office supported such a request. The memorandum further summarized goals of the Pentagon in the negotiations, including exemption of bunker fuels and exemption of multilateral operations from emissions requirements [see Document 5].

⁴ Ambassador Thomas Foley, Acting Assistant Secretary for Oceans and International Environmental and Scientific Affairs Melinda Kimble, Deputy Assistant Secretary for Oceans and International Environmental and Scientific Affairs Rafe Pomerance, and Ambassador Mark G. Hambley were alternate heads of the delegation.

⁵ Stern was named to "coordinate the Administration's efforts on climate change" on March 11, 1998, and [was said](#) to have "played a major role in managing the Administration's climate change initiative from July 1997, through the Kyoto conference." Before March 1998, he was the White House Staff Secretary.



Deputy Undersecretary of Defense for Environmental Security Sherri Goodman takes reporters' questions on climate matters at the Pentagon in 2000. Goodman was originally a critic of the Kyoto Protocol but later defended the military exemptions won by the U.S. delegation in Kyoto. (Photo credit: DOD photo by R.D. Ward)

Bunker fuels are fuel oils stored in compartments on ships known as bunkers, which are used to move seagoing vessels and cause significant air pollution. These vessels include military craft, civilian ships, tankers, and other marine transport.⁶ It can also include aviation fuel, such as those consumed by international passenger flights, and “international flights by the United States military,” as noted by the Environmental Protection Agency. The Kyoto Protocol paired both kinds of bunker fuels together, as part of emissions limitations.⁷

National Economic Council Director Gene Sperling, Assistant to the President for International Economic Policy Daniel Tarullo, Deputy National Security Advisor James Steinberg, and Kyoto delegates Katie McGinty and Todd Stern later wrote President Clinton in late November 1997, communicating Pentagon concerns about the Kyoto Protocol, including the impact on military readiness, basing negotiations, and surge operations. Their aim was to avoid having the same requirements which apply to non-military facilities be applied to military facilities. In response, U.S. climate negotiators crafted a proposal where military operations would not be affected by domestic emissions trading, according to Sperling, Tarullo, Steinberg, McGinty, and Stern.

⁶ See the June 1995 [“Bunker Fuel Operations” Audit Report](#) from the Department of Defense Inspector General, the [“Bunker \(Fuel\)”](#) page on ScienceDirect, [“At Last, the Shipping Industry Begins Cleaning Up Its Dirty Fuels”](#) by Maria Gallucci, [“Oil Market Report Glossary”](#) from the International Energy Agency, and [“Emissions from fuels used for international aviation and maritime transport”](#) from the UNFCCC.

⁷ See [“Greenhouse Gas Emissions from Aviation and Marine Fuel Use”](#) Presentation by Gail Bruss (U.S. Navy) and Wiley Barbour (EPA) at [10th International Emission Inventory Conference](#), May 2001; [“Kyoto Protocol to the United Nations Framework on Climate Change,”](#) United Nations, 1998.



Mark Hambley, pictured here as U.S. Ambassador to Qatar in 1992, was one of the alternate heads of the delegation in Kyoto. (Photo credit: National Archives at College Park)

Even so, a proposal to exclude emissions from surge operations was described as unachievable in climate change negotiations. DOD officials stated that absent a decision on this topic, the U.S. should not join the proposed Kyoto Protocol. Sperling, Tarullo, Steinberg, McGinty, and Stern advised President Clinton that he would need to make a decision whether to proceed with the protocol if Pentagon aims were not met. They further warned him that military concerns about the climate change treaty had received attention on Capitol Hill and from industry groups which opposed the agreement [see Document 6].

Mainstream press aligned with this analysis, noting rejection of bigger exemptions, justified by military efforts to cut their own emissions and improvements in energy efficiency. Previously, White House officials had stated that there had been administration efforts to use military resources for environmentally friendly technologies and authorized the release of classified environmental data to help researchers.⁸

⁸ Joby Warwick, "[Kyoto Pact Includes a Pentagon Exemption](#)," *Washington Post*, January 7, 1998; "[Press Briefing by Press Secretary Mike McCurry, Assistant to the President for International Economic Policy Dan Tarullo and Chair of the Council on Environment Quality Katie McGinty](#)," *The American Presidency Project*, June 26, 1997; "[\[President Clinton\] Remarks to the National Oceans Conference in Monterey, California](#)," *The American Presidency Project*, Jun. 12, 1998.



Katie McGinty, chair of the Council on Environmental Quality, engages with President Clinton in the Oval Office. (Date unknown) McGinty was a U.S. delegate in Kyoto. (Photo credit: unknown, presumably a White House photographer; accessed from Pennsylvania Women Vote!)

The following month, the U.S. delegation continued to push for national security exemptions. Weaver, one of the Pentagon's negotiators in Kyoto, received pushback from the British delegation, which wanted exemptions broadened to cover domestic military training. He was told that the European Union was becoming fatigued with U.S. proposals. Weaver framed the exemptions as ensuring military readiness and something all militaries should be concerned about, while the British delegates promised to remain engaged on the issue [see Document 7].

Ambassador Mark Hambley, one of the alternate heads of the delegation, reported on meetings between Pentagon delegates and those from Japan, Canada, New Zealand, Australia, Norway, and Switzerland in Kyoto about the national security exemptions. He noted concerns from Japanese and New Zealand delegates. European Union representatives were confused why the issue was "so important to the US," with Weaver and Salomon calling it an "extremely important" part of the U.S. position [see Documents 8, 9].



Portrait of Christopher E. Weaver in January 2001. Weaver was one of the Pentagon's delegates in Kyoto. (Photo credit: National Archives at College Park)

Hambley called the exemptions a “potentially volatile issue,” noted objections from China and Russia, while Sharon Saile, an EPA delegate in Kyoto, described objections from the United Kingdom. This changed on December 9, when a report noted that exemptions would be adopted with “very little discussion” [see Documents 10, 11, 12]. Reporting in mainstream press aligned with this timeline. A *Washington Post* article noted that the proposal was protested by Iraq, and initially by Russia. It was claimed that the proposal had drawn skepticism from military allies when proposed at the Bonn Climate Change Conference in October of that year.⁹ The latter was confirmed by a declassified document which asked Madeleine Albright about the military exemptions [see Document 13]. Scholar Caroline Fehrl argued that European decision makers accommodated U.S. demands in Kyoto,¹⁰ one of which were the exemptions.



Democratic Congresswoman Pat Danner from Missouri was one of the legislative critics of the Kyoto Protocol who wanted wider military exemptions than the U.S. delegation had achieved in Kyoto. (Photo credit: Wikimedia)

On December 11, 1997, the same day the Kyoto Protocol was adopted,¹¹ the United Nations Framework Convention on Climate Change (UNFCCC) Conference of the Parties released a decision which enshrined the exemptions within the treaty itself. The decision stated that emissions “based upon fuel sold to ships or aircraft engaged in international transport,” i.e., bunker fuels, should not be part of national totals. It was further decided that emissions from multilateral operations following the United Nations Charter would not be included in national emissions totals but would be “reported separately” [see Document 14].

⁹ Warwick, “Kyoto Pact Includes a Pentagon Exemption,” Jan. 7, 1998.

¹⁰ This is discussed in Caroline Fehrl’s *Living with a Reluctant Hegemon: Explaining European Responses to US Unilateralism* (Oxford University Press, London, 2012), pp. 36.

¹¹ See “[The Kyoto Protocol – Status of Ratification](#),” United Nations Framework Convention on Climate Change.

U.S. negotiators later described the provision as exempting “bunker fuels stored in overseas bases” [see Document 15]. The mainstream press depicted it as applying to military vessels traveling overseas or participating in such “operations as the recent relief mission to Somalia or the U.S.-led war against Iraq.” DOD officials described it as an issue “the Pentagon cared most about,” while environmental groups like the Natural Resources Defense Council called it a “big loophole.”¹² It was reported that the U.S. pushed for the proposal in an attempt to undermine Republican critics of the Kyoto Protocol. If the latter is true, it was unsuccessful because James M. Inhofe (R-OK), a conservative U.S. senator and one of the biggest opponents to the protocol, claimed that the agreement was a “political, economic, and national security fiasco.”¹³

U.S. diplomats called the inclusion of the exemptions a “major victory.” They argued that the Kyoto Protocol was consistent with the Pentagon’s goals, which included exempting bunker fuels and emissions from multilateral operations and allowing countries to account for those emissions in their own ways [see Documents 16, 17]. Other documents noted that operations like Desert Storm, in Kosovo, Somalia, and Grenada would not be included in national emissions totals [see Document 18].

[During the Gulf War](#), hundreds of thousands of gallons of crude oil poured into the Persian Gulf, with the U.S.-led coalition forces and Iraqi forces accusing each other of causing the spill. It was later concluded that the spill caused “unprecedented environmental devastation,” especially on the coast of Saudi Arabia, salt marshes, sandy shores, rocky shores, and coral reefs, while the war was said to cause “serious environmental damage” to parts of the Mideast. During the same conflict, Iraqi military forces had set fire to hundreds of oil wells when retreating from advancing coalition forces, while [during the conflict in Kosovo](#), water was polluted by oil derivatives. NATO strikes on oil refineries, pharmaceutical plants, and other facilities during the Kosovo War, caused significant environmental damage.¹⁴

Some legislators, such as Benjamin A. Gilman and Pat A. Danner, wanted a “clear cut exemption of military emissions,” telling President Clinton they were concerned that emissions from domestic military training and operations of U.S. armed forces were not included [see Documents 19, 20]. Other critics spoke out as well. For example, the Committee to Preserve Security and Sovereignty (COMPASS), a group composed of analysts and former government

¹² Warwick, “Kyoto Pact Includes a Pentagon Exemption,” Jan. 7, 1998.

¹³ John M. Broder, “[The Climate Accord: The Overview; Clinton Adamant On 3d World Role In Climate Accord](#),” *New York Times*, Dec. 12, 1997.

¹⁴ “[Timeline: 20 years of major oil spills](#),” *ABC News* (Australia), May 3, 2020; Thomas W. Lippman and William Booth, “[Oil Spreading Off Kuwait Poses Ecological Disaster](#),” *Washington Post*, Jan. 26, 1991; Associated Press, “[Gulf Found to Recover From War’s Oil Spill](#),” *New York Times*, Mar. 18, 1993; Paul R. Paumann, “[Environmental Warfare: 1991 Persian Gulf War](#),” SUNY Oneonta, 2001; Joyner, Christopher C. and Kirkhope, James T. (1992), “[The Persian Gulf War Oil Spill: Reassessing the Law of Environmental Protection and the Law of Armed Conflict](#),” *Case Western Reserve Journal of Environmental Law* (Vol. 24, No. 1), 29-31, 33, 50-51, 53-54, 57-58, 62; Issa, Nivine and Vempatti, Sreya (2018), “[Oil Spills in the Arabian Gulf: A Case Study and Environmental Review](#),” *Environment and Natural Resources Research* (Vol. 8, No. 2), 144-146; United Nations Environment Programme and United Nations Centre for Human Settlements (1999), “[The Kosovo Conflict: Consequences for the Environment & Human Settlements](#),” pp. 6-7, 12; Sinha, Manoj Kumar (2001), “[Protection of the Environment During Armed Conflicts: A Case Study of Kosovo](#),” *ISIL Year Book of International Humanitarian and Refugee Law*; Barth, Hans-Jörg (2001), “[The coastal ecosystems 10 years after the 1991 Gulf War oil spill](#),” Preliminary Report, pp. 1, 3-10.

officials like Dick Cheney, Lawrence Eagleburger, Jeane Kirkpatrick, Richard Burt, and Alexander Haig, supported then-Defense Secretary William S. Cohen, who had said that reductions in greenhouse gas emissions should not impinge on “national security.” COMPASS, seemingly affiliated with the George C. Marshall Institute, a conservative think tank central to a network of organizations denying climate change was caused by humans, claimed that the treaty would threaten “exercise of American military power.”¹⁵

State Department negotiators argued back that the agreement achieved the Pentagon’s aim of protecting military operations. They claimed that U.S. military emissions were low and pointed out that there was ample room within emission reduction commitments to accommodate U.S. military emissions [see Document 21]. The Department of State’s Bureau of Oceans and International Environmental and Scientific Affairs Office of Global Change further said that the department wanted specific and well-defined military operations to be excluded, such as those authorized by the United Nations, rather than more general operations [see Document 22].

Other documents in this posting note that the Pentagon was satisfied with the agreement, proposed that President Clinton announce opposition to emissions limits on domestic military operations and training, and argued that during the climate change negotiations U.S. goals included preserving “military protections” [see Documents 23, 24, 25]. The same year, the Pentagon was exempted from energy conservation and efficiency standards for military training, combat vehicles, and military support.¹⁶

In February 1998, Stuart Eizenstat told the Senate Committee on Foreign Relations that U.S. negotiators in Kyoto had taken “special pains” to protect U.S. military superiority. He said that they achieved everything the Pentagon “outlined as necessary.” Following his testimony, Senator John Kerry (D-MA) praised the work of the team and the military exemptions. In another hearing, Madeleine Albright argued that the Pentagon’s aims had been achieved in Kyoto and said that the Pentagon was satisfied with the agreement.¹⁷

¹⁵ Jeb Shannon Blain (2010), “[International climate change negotiations: the role of power, preferences, and information in negotiation outcomes](#),” California State University, MA Thesis, pp. 22-23, 118-119; Knight, Danielle. “[CLIMATE: U.S. Exempts Military from Kyoto Treaty](#),” *Inter-Press Service*, May 20, 1998; Nelsen, Arthur. “[Pentagon to lose emissions exemption under Paris climate deal](#),” *The Guardian*, Dec. 14, 2015; Terry Lee Anderson and Henry I. Miller, *The Greening of U.S. Foreign Policy* (Hoover Institution Press, Stanford, California, 2000), 182; White, Ben. “[Yanking His Cheney](#),” *Grist Magazine*, Jul. 25, 2000; [COMPASS Letter to President Clinton](#), George C. Marshall Institute, Jan. 22, 1998; Cushman, Jr., John H. “[Critics Rise Up Against Environmental Education](#),” *New York Times*, Apr. 22, 1997; Vaidyanathan, Gayathri. “[Think tank that cast doubt on climate change science morphs into smaller one](#),” *E&E News* (subscriber-only), Dec. 12, 2015; James Lawrence Powell, *The Inquisition of Climate Change* (Columbia University Press, New York City, 2011), 101-3; Pilkington, Ed. “[Palin fought safeguards for polar bears with studies by climate change sceptics](#),” *The Guardian*, Sept. 30, 2008; Begley, Sharon, “[The Truth About Denial](#),” *Newsweek*, Aug. 13, 2007. Apart from Burt, Kirkpatrick, Cheney, Eagleburger, Kirkpatrick, and Haig, former high-ranking military officials Donald Rice, Caspar Weinberger, and Frank Carlucci, and officials like William Brock, Peter Rodman, Malcolm Wallop, Charles Price II, and Roger W. Robinson, Jr. were signatories to the COMPASS letter.

¹⁶ This is discussed in Robert F. Durant’s *The Greening of the U.S. Military: Environmental Policy, National Security, and Organizational Change* (Georgetown University Press, Washington, D.C., 2007), 215-6.

¹⁷ “[Implications of the Kyoto Protocol on Climate Change](#),” Hearing Before the Committee on Foreign Relations, U.S. Senate, One Hundred Fifth Congress Second Session, Feb. 11, 1998; “[Questions for the Record Submitted by](#)

In May 1998, Eizenstat noted that domestic implementation of the Kyoto Protocol would not include military operations and training, another Pentagon objective. In a joint letter the same month, Albright and Cohen said that the agreement had served the environmental and national security interests of the United States. In June 1998, Deputy Undersecretary of Defense for Environmental Security Goodman wrote in a *Washington Times* letter that one of the key objectives for the U.S. delegation was to preserve the “ability to conduct military operations.” She noted that President Clinton approved of the exemptions and stated that “virtually all current military operations are multilateral in nature.” She further argued that Cohen and the Joint Chiefs of Staff were satisfied with the agreement. She was responding to an op-ed by former Secretary of Defense Frank Carlucci, who claimed that the agreement would be a “diplomatic and military nightmare.”¹⁸

Stern, now the White House climate change coordinator, described the letters to President Clinton in a June 1998 report on climate change policy. He described Carlucci’s op-ed as inaccurate and revealed that the White House worked with Goodman on her letter [see Document 27]. In November 1998, Stern wrote in a *Washington Post* op-ed that the Kyoto Protocol had “provisions that protect our national security” and did not cover activities of U.S. military forces.¹⁹

Despite assurances from State Department officials and negotiators that the Pentagon’s goals had been achieved, critics of the protocol wanted wider exemptions. U.S. lawmakers included a section in the 1998 National Defense Authorization Act which exempted U.S. military operations completely from the Kyoto agreement without any qualifications.²⁰ However, Stern stated to President Clinton that the White House did not oppose the amendment, but only had “technical concerns” with its wording [see Document 26].

In summer 1999, Salomon outlined how military exemptions in the protocol “protect[ed] military readiness.” He noted that the protections provided to military operations were becoming “institutionalized within the UNFCCC itself” and would remain even if the climate treaty was not enacted. While he worried that since the exemptions were not directly in the protocol they could possibly be reversed by a “future Decision of the Parties,” he acknowledged that the treaty protected military readiness. Some years later, one of the treaty’s critics, Henry Miller of the

[Congressman Latham to Secretary of State Madeleine Albright](#),” House Appropriations Subcommittee on Commerce, Justice, State, Feb. 25, 1998, pp. 216.

¹⁸ “[The Kyoto Protocol: Problems with U.S. Sovereignty and the Lack of Developing Country Participation](#),” Hearing before the Committee on International Relations, House of Representatives, One Hundred Fifth Congress Second Session, May 13, 1998; Salomon, Roy K. (Summer 1999) “Global Climate Change and U.S. Military Readiness,” *Federal Facilities Environmental Journal*, p. 137, 139-140; Carlucci, Frank, “Making military sense out of Kyoto,” *Washington Times*, May 18, 1998; Goodman, Sherri W., “[Kyoto treaty doesn’t compromise our national security](#),” *Washington Times*, Jun. 6, 1998.

¹⁹ Stern, Todd. “The Politics of Global Climate Change: View from the White House: Momentum Building for ‘Balanced Approach’,” *Washington Post*, Nov 2, 1998.

²⁰ See Knight, Danielle. “[CLIMATE: U.S. Exempts Military from Kyoto Treaty](#),” *Inter-Press Service*, May 20, 1998. The provision was originally included in Section 1232 of [Strom Thurmond National Defense Authorization Act for Fiscal Year 1999](#) and was later included in section 1210 of [the final law](#).

Hoover Institution, declared that the exemptions were “anything but successful,” while Goodman defended the administration’s actions.²¹

In the years that followed, U.N. documents attested that bunker fuels and certain military emissions would not be included in national emissions totals and would be reported separately, while certain emissions would be aggregated at a minimum to “protect confidential business and military information.” These were actions that the U.S. delegation fully supported.²²

The U.S. delegates had received partial exemptions in Kyoto. Some called this a mockery of the U.N. climate process and posited that military emissions were so large that they wanted an exemption. They said that this resulted in the Intergovernmental Panel on Climate Change treating military emissions differently than other kinds of emissions.²³ Despite this victory for the Pentagon, the Kyoto Protocol was not ratified by the U.S. Senate. Scholars John Peterson and Mark A. Pollack surmised that due to the political weakness of President Clinton after his impeachment in Congress in late 1998, his advisers decided to not send the climate agreement to the Senate.²⁴

Journalists have written that the military exemptions in the Kyoto Protocol were “eliminated” under the 2015 Paris Agreement. It was reported that the agreement did not require countries to supply full data on military emissions or to cut these emissions. It was also said that the exemptions were made moot for the U.S. when it pulled out of the Paris Agreement in 2020,

²¹ Miller, Henry I. “U.S. Armed Forces Aren’t Green Warriors,” *Wall Street Journal*, May 5, 2003; Miller, Henry I. “Letters to the Editor: How Eco-Rules Crippled Our Military,” *Wall Street Journal*, Apr. 5, 2003; Goodman, Sherri. “Green Rules Haven’t Hurt Military or Its Readiness,” *Wall Street Journal*, Apr. 23, 2003; Salomon, “Global Climate Change and U.S. Military Readiness,” p. 139, 142.

²² “[Methodological Issues: Emissions Resulting from Fuel Used for International Transportation](#),” United Nations Framework Convention on Climate Change Subsidiary Body for Scientific and Technological Advice, May 11, 1999; “[Methodological Issues: Emissions Resulting from Fuel Used for International Transportation](#),” United Nations Framework Convention on Climate Change Subsidiary Body for Scientific and Technological Advice, Sept. 24, 1999; “[Emissions resulting from fuel used for international transportation: Aviation and marine ‘bunker fuels’](#),” United Nations Framework Convention on Climate Change Conference of the Parties 7, 2001; “[National Communications from Parties Included in Annex I to the Convention](#),” United Nations Framework Convention on Climate Change Secretariat, Mar. 18, 1999, p. 6-8, 13; “[National Communications from Parties Included in Annex I to the Convention](#),” United Nations Framework Convention on Climate Change Secretariat, Apr. 15, 1999, p. 28; “[Report of the Subsidiary Body for Scientific and Technological Advice On Its Tenth Session](#),” United Nations Framework Convention on Climate Change Subsidiary Body for Scientific and Technological Advice, Sept. 7, 1999, p. 9, 39; “[Report of the Individual Review of the Greenhouse Gas Inventory of the United States of America Submitted in the Year 2000](#),” United Nations Framework Convention on Climate Change Secretariat, Jul. 11, 2002, p. 2-3, 12-13; “[Methodological issues relating to emissions from international aviation and maritime transport](#),” United Nations Framework Convention on Climate Change Secretariat, May 11, 2004, p. 5-6, 10; “[Revision of the UNFCCC reporting guidelines on annual inventories for Parties included in Annex I to the Convention](#),” United Nations Framework Convention on Climate Change Conference of the Parties 17, Nov. 2011, p. 11.

²³ Sheila D. Collins, “[War and Climate Change: Time to Connect the Dots](#),” *Truthout*, Oct. 1, 2014; Charles Davis (Jan. 2009), “[Fear of U.S. Political Fallout Kills Talk of Military CO2 Rules](#),” Inside EPA’s Clean Air Report, Vol. 20, No. 1, p. 25; *Reglobalization* (ed. Matthew Louis Bishop and Anthony Payne, Routledge, London, 2021), p. 149; Ronald C. Kramer, *Carbon Criminals, Climate Crimes* (Rutgers University Press, New Brunswick, New Jersey, 2020), 123; Walter C. Clemens, *Dynamics of International Relations: Conflict and Mutual Gain in an Era of Global Interdependence* (Rowman & Littlefield, Lanham, Maryland, 2004), 498.

²⁴ John Peterson and Mark A. Pollack, *Europe, America, Bush: Transatlantic Relations in the Twenty-first Century* (Routledge, London, 2003), pp. 122.

although the U.S. rejoined the agreement in 2021. Most countries reportedly agreed with the decision to include language in the Paris Agreement, which changed how emissions were reported. Certain researchers have argued that since reporting military emissions is voluntary, it leads to what they call a “military emissions gap.”

Sarah E. Light, a business ethics scholar, has argued that while the military appears to not be the friend of the environment in its massive energy use, it has a complex relationship with the environment, and has the potential to “make an enormous impact on climate change policy.” She terms this the military-environmental complex, saying the military can make strides in environmental protection and sustainability, which may require it to challenge its “long-held beliefs” about energy consumption.²⁵

While the Kyoto Protocol expired at the end of 2020,²⁶ the Pentagon declared in 2021 that it considered climate change to be a “national security priority.” It drafted plans for climate adaptation and stated that the changing climate is already affecting military readiness.²⁷ Even so, energy consumption from the military continued to be excluded and not included in national totals.²⁸ This is despite non-governmental organizations like Staygrounded stating that emissions from “military aviation are likely significant, unchecked and virtually ignored.”²⁹ It is unlikely that the Pentagon, which emitted almost 52 million metric tons of carbon dioxide in fiscal year 2020 alone, the equivalent of 11.2 million automobiles,³⁰ will get behind a proposal of all countries to submit emissions from warfare and military operations, as the Bolivian delegation asked for in 2011 and activists called for at COP-26, anytime soon.³¹

²⁵ See [“What activists will be demanding on the sidelines of COP26”](#) by Joyce Nelson, rabble.ca; [“World’s militaries avoiding scrutiny over emissions, scientists say,”](#) by Tom Ambrose, The Guardian; [“Pentagon to lose emissions exemption under Paris climate deal,”](#) by Arthur Nelsen, The Guardian; [“How the world’s militaries hide their huge carbon emissions,”](#) by Doug Weir, Benjamin Neimark, and Oliver Belcher, The Conversation; [“Problem,”](#) Military Emissions Gap, accessed December 3, 2021; Light, Sarah E. (2014) [“The Military-Environmental Complex,”](#) *Boston College Law Review*, Vol. 55 (3): 881-882, 884-888, 891-893, 898-899, 902, 906, 909-910, 912-913, 918-919, 933, 938-946.

²⁶ See [“Nigeria, Jamaica bring closure to the Kyoto Protocol era, in last-minute dash”](#) by Chloé Farand, Climate Home News.

²⁷ Aaron Mehta, [“Climate change is now a national security priority for the Pentagon,”](#) *DefenseNews*, Jan. 27, 2021; Peter Martin and Roxana Trion, [“Climate change is damaging troop readiness, Pentagon official says,”](#) *Stars and Stripes*, Oct. 22, 2021; U.S. Department of Defense Office of the Deputy Assistant Secretary of Defense for Environment and Energy Resilience, [“DOD Announces Plan to Tackle Climate Crisis,”](#) Oct. 7, 2021.

²⁸ U.S. Energy Information Administration, [“Annual Energy Outlook 2021 Narrative,”](#) Feb. 2021, p. 5; U.S. Energy Information Administration, [“Emissions of Greenhouse Gases in the United States 2009,”](#) Mar. 2011, p. 31.

²⁹ [“A Talanoa Dialogue Submission: Recommending that the UNFCCC set policy that directly regulates aviation emissions,”](#) Stay Grounded, Oct. 18, 2018, p. 5.

³⁰ The Department of Energy’s Federal Energy Management Program compiles data on emissions from federal agencies and departments in its [“Comprehensive Annual Energy Data and Sustainability Performance”](#) report. The subtotals of all three categories on the page for the Department of Defense were added together resulting in about 52 million metric tons of carbon dioxide. The [EPA says](#) that a typical passenger vehicle “emits about 4.6 metric tons of carbon dioxide per year,” so the number 52 million was divided by 4.6, and this came to about 11.2 million. Also see the [“How much is a ton of carbon dioxide?”](#) page on the MIT Climate Portal.

³¹ [“Views on the elaboration of non-market-based mechanisms: Submissions from Parties,”](#) United Nations Framework Convention on Climate Change Ad Hoc Working Group on Long-term Cooperative Action under the

The Documents

Document 1

[Cable, State Department, State 202013, to U.S. Del Mark Hambley and All NATO Post Collective, Subject: National Security Exemption on Climate Change, October 26, 1997 \[Confidential\]](#)

Oct 26, 1997

Source: Department of State FOIA

This action cable from the State Department informs Ambassador Mark Hambley and other addressees that the United States wants to “explore” the possibility of national security exemptions to rules and regulations on greenhouse gas emissions for activities in support of peacekeeping operations. While the Department acknowledges that the Pentagon consumes more energy than other federal agencies and believes this is similar in other NATO countries, the cable notes that it makes sense that emissions limits do not curtail UN peacekeeping operations, IFOR or SFOR in Bosnia. The document further claims that calculating emissions from military operations in areas outside the borders of the host country is a “difficult task.” The cable adds that national security exemptions are important to avoid discouraging countries from deploying military forces outside of their national borders, shares draft language for exemptions, and expresses hope for responses from other NATO countries to the proposal.

Document 2

[Memorandum, Mark G. Hambley, USDEL/Bonn Subject: Climate Change Talks, Update No. 10: Activities for October 29-30, 1997, October 30, 1997 \[Classification Unknown\]](#)

Oct 30, 1997

Source: Department of State FOIA

Ambassador Hambley provides an update on climate change negotiations – “one of a series of unofficial and informal reports” – including responses to U.S. proposals, status of key issues, Canadian decisions on emissions control target, and other matters, such as countries wanting to exempt their militaries from emissions standards. The last two pages of the update include summaries of conversations between Captain Christopher Weaver and members of the Australian and Canadian delegations. Weaver recalled that Meg McDonald, the Australian environment ambassador, said that the Australian military had considered how emissions limits affected national security, and that it was “worthy of development.” McDonald suggested to Weaver that the Pentagon contact Australian military representatives in Washington, D.C., and seemed interested in discussing the issue further. Weaver later summarized the discussion with Jennifer Irish of the Canadian Foreign Ministry, who said that Canada felt the exemptions were a “relevant topic” and was worried about accounting for emissions from emergencies that can’t be predicted. Both Australia and Canada were “genuinely interested” in having national security exemptions.

Document 3

Report, William E. Dilday, State Department, Subject: EAP Post Reports on Climate Change, October 30, 1997 [Confidential]

Oct 30, 1997

Source: Department of State FOIA

State Department official Dilday summarizes responses from Australia, New Zealand, and Japan to the U.S. demarche on climate change policy. In one of his post reports, he notes that New Zealand officials see merit in the proposal for national security exemptions, despite the fact they only have a “modest involvement” in peacekeeping actions.

Document 4

Statement, United States Delegation to the Conference of Parties to the United Nations Framework Convention on Climate Change Subsidiary Body Meetings, as delivered to Russian Delegation, October 31, 1997 [Classification Unknown]

Oct 31, 1997

Source: Department of State FOIA

The U.S. delegation explains to the Russian delegation at the Bonn Climate Change Conference the reasons why the U.S. supports a national security exemptions provision that doesn't create a conflict between “protect[ing] world peace” and reducing greenhouse gas emissions. The U.S. delegation says, in the notes below the statement, that they hope that countries consider how many emissions come from multilateral military operations. The notes express the worry that emissions control measures could prevent “rapid decisions” on military training and operations and indicate a desire to discuss the issue further with “interested parties” before the conference in Kyoto begins.

Document 5

Background Paper, Council on Environmental Quality, Subject: Climate Treaty–National Security Exemption, November 23, 1997 [Classification Unknown]

Nov 23, 1997

Source: Clinton Library FOIA

This internal document from the Council on Environmental Quality describes State Department opposition to broad national security exemptions within the Kyoto protocol, noting that CEQ Chair Katie McGinty and special envoy Todd Stern “appear to share this view.” The paper also lists, with commentary, Pentagon goals in the climate change negotiations. They include an exemption for military bunker fuels, attributing emissions from U.S. military bases to U.S. national totals, exempting emissions from multilateral operations, and assurance from the administration that domestic military training and operations will be exempted from domestic implementation of a climate change agreement.

Document 6

Memorandum, Eugene B. Sperling, et al. to President Clinton, Subject: Kyoto–Negotiating Guidance, November 30, 1997 [Classification Unknown]

Nov 30, 1997

Source: Clinton Library FOIA

President Clinton receives negotiating guidance from Eugene B. Sperling, Katie McGinty, Daniel Tarullo, James Steinberg, and Todd Stern for the conference on the Kyoto Protocol, with mention of emissions targets, emission reductions, joint implementation, commitments from developing countries, and national security exemptions. On the final page of this memorandum, Sperling, McGinty, Tarullo, Steinberg, and Stern note that the Pentagon has outlined its worry about the climate change treaty and how it will impact military operations, noting that the U.S. negotiation team for the conference has put together an approach for handling national security exemptions which “appears achievable.” However, they state that while an exemption for surge operations had been initially explored, it was later abandoned. They warn President Clinton that if U.S. negotiators cannot obtain a decision on the matter, then he will have to decide whether to proceed with the treaty or not. They remind him that the impact of the protocol on the military has gained attention from industry groups and those opposing the treaty in Congress.

Document 7

Memorandum, Christopher Weaver to Mark G. Hambley, Subject: Summary of Discussion Between Capt. Weaver and Mr. Lyscom of the U.K. Delegation, December 1, 1997 [Classification Unknown]

Dec 1, 1997

Source: Department of State FOIA

Captain Christopher Weaver summarizes his discussion with David Lyscom of the U.K. delegation at the climate change conference in Kyoto on the national security exemptions provision to the climate change treaty. In this memorandum, Weaver tells Ambassador Hambley that Lyscom opposed larger exemptions which included domestic military operations and training, and expresses his worry, to Lyscom, that the E.U. and NATO not believe they are simply being asked to accommodate the U.S. as opposed to embracing the issue of their own military readiness. Weaver recounts that Lyscom described the provision as looking like another U.S. plea for flexibility with the climate change agreement, saying the E.U. is getting “fatigued” with this approach. Even so, he promised to consider the issue further, although he was not convinced by Weaver’s arguments.

Document 8

Memorandum, Mark G. Hambley, USDEL/Kyoto, Subject: Third Conference of the Parties to the Climate Convention, Update No. 3: Report on the Meetings/Activities for Dec 1/2, 1997, December 2, 1997 [Classification Unknown]

Dec 2, 1997

Source: Department of State FOIA

Ambassador Hambley reports on the first days of the Conference of the Parties to the United Nations Framework Convention on Climate Change in Kyoto, describing tensions between participants, briefings with interested parties, discussion of a national security exemptions provision, and other topics. On page 2 of this memorandum, he notes that Pentagon representatives, with help of Sue Biniaz, a lead State Department climate lawyer and Kyoto delegate, discussed the exemptions with other delegates from the informal JUSCANZ bloc (Japan, Canada, Australia, and New Zealand) who were supportive, and British delegates who were not. Hambley adds that Eizenstadt's earlier intervention will likely reverse this "potential problem."

Later in the document, on pages 8 and 9, the discussion between European Union and Pentagon delegates about the national security provision, is summarized. The EU delegates interestingly note that they are confused as to why this is such an important matter to the U.S. delegation, calling it a "relatively small issue," while Weaver and Salomon describe it as significant and an "extremely important aspect" of U.S. negotiations. While the European delegates continue to say they want to avoid an issue like the provision in negotiations, they remain willing to discuss it further after consulting with other European Union members.

Document 9

Memorandum, Mark G. Hambley, USDEL Kyoto, Subject: Third Conference of the Parties to the Climate Convention, Update No. 4: Report on Activities/Meetings December 2/3, 1997, December 3, 1997 [Classification Unknown]

Dec 3, 1997

Source: Department of State FOIA

Ambassador Hambley reports again on activities and meetings of the Conference of the Parties to the United Nations Framework Convention on Climate Change in Kyoto, including Canada and New Zealand pledging to reduce emissions, a proposed European Union amendment, and other issues. On pages 2 and 5 of this memorandum, Hambley notes that the two Pentagon representatives to the COP have "carefully orchestrated" the military exemptions issue, which he describes as "very problematic," and adds that the delegation is seeking views on proposed language. He further argues that the exemptions are a "potentially volatile issue."

Document 10

Memorandum, Mark G. Hambley, USDEL/Kyoto, Subject: Third Conference of the Parties to the Climate Convention, Update No. 6: Report on Activities/Meetings on December 4/5, 1997, December 5, 1997 [classification Unknown]

Dec 5, 1997

Source: Department of State FOIA

Ambassador Hambley submits another report on activities and meetings at the Conference of the Parties to the United Nations Framework Convention on Climate Change in Kyoto, including proposed emission reduction measures, attempts to achieve U.S. policy objectives, opposition to New Zealand's scheme to control greenhouse gas emissions, and other matters. On Page 3, he

says that the military exemptions language presented by the U.S. delegation “failed to pass” due to opposition from the Chinese and Russian delegations, although the Iranian delegation remained silent. He notes that Raul Estrada-Oyuela, chair of the Committee of the Whole, called for “additional consultations” on the issue, stating that while the Chinese delegates were cooperative, he expected the Russian delegates might not be, and described the European Union delegates as “not particularly helpful” on this issue.

Document 11

Notes, Sharon Saile, Environmental Protection Agency, Subject: COW/QELROs Negotiations, Friday December 5, Morning Session, 10pm-1pm, December 5, 1997, [Classification Unknown]

Dec 5, 1997

Source: Department of State FOIA

EPA official Sharon Saile, who is attending the UNFCCC talks, summarizes opposition to proposed language on military exemptions to emissions measurements and comments on other sections of draft Kyoto Protocol. Specifically, Saile notes British objections to the language of the exemptions, which required the U.S. and U.K. to work together on new wording, while other countries supported the exemptions. She laments that the decision by the Subsidiary Body for Scientific and Technological Advice (SBSTA) was ultimately “bogged down by unresolved issues.”

Document 12

Memorandum, Mark G. Hambley, USDEL/Kyoto, Subject: Third Conference of the Parties, Supplement to Update No. 9: December 8/9, 1997, December 9, 1997 [Classification Unknown]

Dec 9, 1997

Source: Department of State FOIA

Ambassador Hambley forwards reports prepared by U.S. representatives to the Conference of the Parties to United Nations Framework Convention on Climate Change in Kyoto. On page 3, in a December 6 report, Debbie Stowell, a Department of Energy delegate, says that a late-night session of the Committee of the Whole adopted language on military emissions from multilateral operations with “very little discussion.”

Document 13

Letter, U.S. House Committee on Science, F. James Sensenbrenner to Madeleine K. Albright, Subject: [Kyoto Protocol Negotiations], November 8, 1997 [Not Classified]

Nov 8, 1997

Source: Clinton Library FOIA

Rep. Sensenbrenner, appointed to lead a bipartisan House observer delegation on Kyoto, asks Madeleine Albright about emissions estimates, carbon sinks, participation by developing nations,

the Kyoto protocol, emissions from military operations, and the U.S. negotiating position for the talks. On page 5 of this letter, Sensenbrenner notes that the U.S. first raised the issue of national security exemptions at the end of October at the Bonn Climate Change Conference. He requests clarification on the U.S. objectives for military emissions and whether the United States would have to offset such emissions with other domestic reductions in the event a military waiver was granted.

Document 14

Report, United Nations Conference of the Parties to the United Nations Framework Convention on Climate Change, Subject: Report of the Conference of the Parties on Its Third Session, Held in Kyoto from 1 to 11 December 1997–Addendum–Part Two: Action Taken By the Conference of the Parties at its Third Session, March 25, 1998 [Not Classified]

Mar 25, 1998

Source: United Nations Climate Change [<https://unfccc.int>]

This document summarizes the Third Session of Conference of the Parties in Kyoto from December 1 to December 11, 1997, including actions taken during the conference, and it lists carbon dioxide emissions of participants in 1990. On page 31 is a resolution entitled “Methodological issues related to the Kyoto protocol,” decided on the last day of the conference. This resolution urges the Subsidiary Body for Scientific and Technological Advice (SBSTA) to elaborate on the inclusion of emissions from bunker fuels in national emissions inventories. It decides that emissions from multilateral military operations pursuant to the United Nations Charter will be reported separately rather than “included in national totals” along with other related emissions then being included in national emissions totals of another country. This is the only time that the national security exemptions are explicitly stated in a United Nations document, couched in legalese, and it was a victory for the Pentagon.

Document 15

Background Paper, White House Office of Environmental Initiatives, Subject: The Historic Kyoto Agreement: A Critical First Step in a Global Effort to Address Global Warming, December 11, 1997 [Classification Unknown]

Dec 11, 1997

Source: Clinton Library FOIA

The White House Office of Environmental Initiatives asserts the global importance of the Kyoto protocol, summarizes terms of the treaty, and presents President Clinton’s three-stage climate change plan. At the end of this background paper, it is stated that industrialized countries, like the U.S., believed that the climate change agreement should not “impede national security considerations.” The document then states that, as a result of this common belief among these countries, emissions from multilateral military operations were exempted from the Kyoto Protocol, along with “bunker fuels stored in overseas bases.” This paper seems to gloss over the fact that the United States, not other countries, was the proponent behind the national security

exemptions during climate change negotiations, but that may be because this is a fact sheet, rather than a cable or in-depth report.

Document 16

[Cable, State Department, State 237825, to All Diplomatic Posts, Subject: Climate Change: Outcomes from the Kyoto Conference, December 19, 1997 \[Confidential\]](#)

Dec 19, 1997

Source: Department of State FOIA

This cable from Main State summarizes outcomes from the Kyoto climate change conference, including the agreement reached on the Kyoto Protocol. The cable analyzes the treaty and suggests pushing for specific provisions in future negotiations. On page 4, the message indicates that the three objectives of the Pentagon were achieved and describes the inclusion of the exemptions as a “major victory.”

Document 17

[Background Paper, State Department, Office of Science and Technology Policy, Environment Division, Subject: Commonly Asked Questions about the Kyoto Protocol on Climate Change, Draft, December 19, 1997 \[Classification Unknown\]](#)

Dec 19, 1997

Source: Clinton Library FOIA

This backgrounder from the Environment Division of the Office of Science and Technology Policy provides answers to questions about the Kyoto Protocol. On page 2, it is stated that the agreement will not hamper military readiness or U.S. military operations; rather, it includes “several provisions” sought by the Pentagon, such as exemption of bunker fuels and “surge” operations. The document further notes that under the protocol the U.S. has complete discretion in accounting for military emissions.

Document 18

[Fact Sheet, State Department, Subject: The Kyoto Protocol on Climate Change, January 15, 1998 \[Not Classified\]](#)

Jan 15, 1998

Source: Department of State FOIA

The State Department provides background on emissions targets, international emissions trading, flexible mechanisms of the Kyoto Protocol; and discusses developing country participation, military emission exemptions, treaty compliance, and entry into force. Pages 4 and 5 of this document argue that the objectives identified by the Pentagon to “protect U.S. military operations” were achieved by the climate change treaty. This includes, the document notes, exemptions of bunker fuels and multilateral military operations, and allowing countries to decide how to account for emissions from such operations.

Document 19

Letter, U.S. Congress, Rep. Benjamin A. Gilman, et al., to President Clinton, Subject: [Concerns over U.S. Kyoto Protocol Commitments], January 9, 1998 [Classification Unknown]

Jan 9, 1998

Source: Clinton Library FOIA

U.S. members of Congress Benjamin A. Gilman, Pat Danner, Christopher H. Smith, J.C. Watts, James A. Traficant, Dan Burton, Bob Inglis, Richard Burr, Jay Kim, Joe Scarborough, Fred Upton, and Zach Wamp voice concerns to President Clinton about commitments made by the U.S. at the Conference of the Parties to United Nations Framework Convention on Climate Change that have been enshrined in the Kyoto Protocol. One of these concerns is about emissions from domestic military training and operations, acknowledging the exemptions gained in Kyoto. The authors claim that not exempting these military actions will cause the United Nations to curtail these “necessary” operations and training.

Document 20

Talking Points, White House Office of Environmental Initiatives, Subject: Climate Change Questions, circa February 1998 [Classification Unknown]

Feb 1, 1998

Source: Clinton Library FOIA

The White House Office of Environmental Initiatives gathers questions on emissions targets, emissions trading, the Clean Development Mechanism, and other aspects of the Kyoto Protocol. On pages 3 and 4, the document poses questions about the effects of the climate change agreement on domestic military operations and training, and the limited nature of national security exemptions. One question in particular asks why a “clearcut exemption of military emissions,” which the Pentagon has wanted, was not included in the treaty rather than the existing exemptions that U.S. negotiators achieved in Kyoto.

Document 21

Background Paper, State Department, Subject: Grist for Rebuttal to COMPASS Letter of 22 January 1998, Draft, January 28, 1998 [Unclassified, “Not For Public Use”]

Jan 28, 1998

Source: Department of State FOIA

This State Department paper rebuts points raised in a separate letter by COMPASS (Committee to Preserve American Security and Sovereignty) about the economic and environmental effects of the Kyoto Protocol, including verification measures and national security exemptions within the climate change treaty. On page 3, the Department argues that the agreement achieves the Pentagon’s goals, and states that there is room within the emissions reduction commitments of treaty to accommodate any emissions from unilateral or multilateral U.S. military actions.

Document 22

Talking Points, State Department Bureau of Oceans and International Environmental and Scientific Affairs, Office of Global Change, Subject: Q's & A's for Climate Change Testimony 2/98, February 5, 1998 [Classification Unknown]

Feb 5, 1998

Source: Clinton Library FOIA

These talking points provide answers to questions about the Kyoto Protocol, including on treaty ratification, implementation, and compliance; climate science; economic issues; national security exemptions; emissions trading; and related topics. On pages 11 and 12, the Office of Global Change argues that the agreement gave the Pentagon everything it “outlined as necessary” to protect U.S. military operations and national security. The argument goes on to claim that U.S. military emissions are extremely small relative to total U.S. figures, and says there is room within emissions commitments made in Kyoto to accommodate any emissions from U.S. military actions. The Q&A explains that the agreement exempts emissions from bunker fuels and multilateral operations justified by the United Nations Charter, and allows countries to decide how to account for emissions arising from such operations. The document says, however, that exempting the military completely would overlook opportunities for Federal agencies to be more energy efficient, and praises what are described as “significant strides” by the military, including in procuring fuel.

Document 23

Memorandum, The White House, James. B. Steinberg, et al., to President Clinton, Subject: Climate Change/Military, March 3, 1998 [Classification Unknown]

Mar 3, 1998

Source: Clinton Library FOIA

Jim Steinberg, Todd Stern, Katie McGinty, and Gene Sperling tell President Clinton that Republicans including U.S. Senators Chuck Hagel, James Inhofe, and former government officials such as Dick Cheney and Jeanne Kirkpatrick have been attacking the Kyoto Protocol claiming it will damage the U.S. military. Steinberg, Stern, McGinty, and Sperling then note that the Pentagon is “reasonably satisfied” with the climate change treaty for exempting multilateral military operations, and international military air and marine transport from emissions accounting. However, they state that the Pentagon has concerns over domestic implementation of the treaty and has been arguing that if emissions limits are applied to military training and operations it would “compromise military readiness.” The document then describes two options to counter critics of the climate change agreement: either state the administration’s opposition to emissions limits on military training and operations or emphasize the diplomatic success achieved in Kyoto and argue that consideration of domestic issues is “premature.” Steinberg, Stern, McGinty, and Sperling end by stating that Clinton’s advisors unanimously oppose the second option and support the first option instead.

Document 24

Background Paper, White House Office of Environmental Initiatives, Subject: Climate Treaty and National Security, c. November 1998 [Classification Unknown]

Oct 31, 1998

Source: Clinton Library FOIA

This backgrounder outlines sources of Defense Department emissions, reasons that the Clinton administration pushed for national security exemptions, elements within the Kyoto Protocol which protect U.S. national security interests, the relevance of military emissions toward national greenhouse gas allowances, and reductions in energy consumption by the military since 1990. This document is unusually enlightening in that it succinctly notes the specific decisions by the Conference of Parties which pertain to the exemptions and domestic action by the Clinton Administration aimed at fulfilling the military's interests.

Document 25

Briefing Paper, State Department, Subject: Bunker Fuel Emissions: Briefing Paper for COP-6, November 2, 2000 [Sensitive]

Nov 2, 2000

Source: Department of State FOIA

This internal State Department paper provides background and sets forth U.S. goals for negotiations on the regulation of bunker fuels used in airline and shipping industries at climate change talks in The Hague. The document summarizes the 1997 resolution which enshrined the national security exemptions in the Kyoto Protocol. It goes on to describe U.S. efforts to keep this intact with the help of a U.S. emissions trading scheme known as the "Umbrella Group," a coalition of countries that consult with one another on environmental policy. The paper further states that one of the U.S. goals in climate change negotiations is to "ensure that the military protections are preserved."

Document 26

Memorandum, The White House, Todd Stern to President Clinton, Subject: Climate Change Weekly Report, May 23, 1998 [Classification Unknown]

May 23, 1998

Source: Clinton Library FOIA

Todd Stern provides President Clinton with a weekly report on climate change policy, noting domestic actions, diplomatic environment-related initiatives, congressional responses to administration proposals, and outreach to labor and environmental groups on Kyoto Protocol. Stern specifically describes an amendment to the National Defense Authorization Act passed by the U.S. House of Representatives that would stop "regulations issued under the Kyoto Protocol" from restricting U.S. military operations. He goes on to say that the amendment itself is consistent with policy guidance Clinton approved several months prior. He says that while the White House does not oppose the amendment, they have "technical concerns" which they will try to remedy as the bill proceeds to the U.S. Senate. The document is replete with Clinton's

handwritten comments; he marks this particular passage with a check, evidently indicating his approval.

Document 27

Memorandum, The White House, Todd Stern to President Clinton, Subject: Climate Change Weekly Report, June 15, 1998 [Classification Unknown]

Jun 15, 1998

Source: Clinton Library FOIA

Todd Stern provides President Clinton with another weekly report on climate change, which notes negotiations in Bonn, a meeting of the U.S.-Mexico Binational Commission, the largely adverse congressional response to proposed administration policy, and various news media coverage. Stern also mentions a recent op-ed by DOD Assistant Secretary Sherri Goodman (in the *Washington Times* rather than *Wall Street Journal*) aimed at refuting an earlier piece by former Defense Secretary Frank Carlucci on Kyoto Protocol's effect on military readiness.

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